

REMARKS/ARGUMENTS

In this Action, made final, the Examiner repeated the prior rejection of claims 1, 3, 5-19, 23-25, and 27 under 35 U.S.C. §102(e) over Beck et al. This rejection is again respectfully traversed.

Beck et al. disclose an enterprise-hosted communication center 17 that can communicate with clients by using various media. An operating system (CINOS) executing in communication center 17 interacts with a client via a medium or media selected by the client. The operating system provides an outward-facing communications interface for interacting with the client. The interface may be a self-help wizard that executes in the center and interacts with the client. The wizard can be customized for each client based on customer data. The wizard may be a WEB-form (access window 133) interface that is provided as a part of the enterprise's web page which the client accesses via an Internet connection. The communication center can download to the client various enabling applications, such as application-independent media viewers and media drivers, to enable the client to communicate with the communication center in the various media.

The key distinction between the teaching of Beck et al. and applicants' invention is that the customized wizard of Beck et al. executes in the communication center and not in the client's computer. Conversely, the "enabling applications" (media viewers and drivers) which execute on the client's computer are not customized for individual clients. Because the customized wizard executes in the communication center, the client must interact with the communication center and thereby tie up network and communication-center resources while interacting with the wizard. Applicants identified this disadvantage of the prior art in the application (page 1, lines 22-23). In contrast, according to applicants' invention, the program that is customized for the client executes on the client's computer, so that the client need not interact with the call center during

the program's execution. Consequently, the client does not tie up network and call-center resources while interacting with the program. Applicants explicitly identified this benefit of their invention over the prior art in the application (page 2, lines 12-13). Beck et al. thus do not anticipate our invention.

Let us consider the disclosure of Beck et al. in greater detail.

The self-help wizard executes in the enterprise-hosted communication center, not in the client's computer, and only communicatively interfaces with the client computer. The self-help wizard is accessible and executable from within a customer-interfacing WEB-form or customer-interfacing window (col. 5, lines 13-15). The client self-help system of which the self-help wizard is a part is located in the multimedia communication center (the enterprise-hosted communication center 17) and provides a communications interface to connected clients (col. 5, lines 25-32). The self-help wizard is presented in a WEB-based customer interface such as an on-line catalog, a customer-facing interactive WEB-form (such as a window 133 that is provided as a part of the enterprise's WEB page (col. 16, lines 1-21, and col. 59, lines 54-60), or in a CTI-enhanced interface such as an interactive voice response (IVR) unit maintained in the enterprise (col. 60, lines 4-9, and col. 63, lines 27-34).

What is downloaded to and executed on the client computer are media-enabling applications (media viewers and drivers) that allow the client computer to access the self-help wizard in the enterprise center. When a client logs into the system, interaction between the enterprise entity and the client begins with a media type that is offered by the enterprise and selected by the client (col. 19, lines 21-23). The self-help wizard system provides an interface by which a connected client may select a particular media for receiving help (Abstract lines 5-7, and col. 5, lines 32-35). The self-help wizard then establishes an interactive communication with the client in the selected medium (Abstract lines 7-12, and col. 6, lines 1-2). Application-independent media viewers are offered

to clients for downloading (col. 9, lines 38-40, and col. 20, lines 14-16). The wizard interface includes functional modules (Fig. 20) designed to provide interface to the client with the system in a variety of supported media types and the client may select a desired media type (col. 60, lines 36-41). A desktop-interface module acts as an interface to a client or customer's WEB browser. A customer-interaction network operating system (CINOS) client application may be provided and adapted to include API's to client communication and viewer applications installed on the client's computer to allow client participation with offered media. Specialized media viewers, text viewers, etc., may be a part of the client browser plug-in. If they are not, required media drivers for executing different types of offered media presentations are provided by a media support module for downloading to the client's browser through the desktop-interface module. (Col. 62, line 53, to col. 63, line 5). Customers are provided with interactive multimedia applications (IMAs) that are containers for multimedia viewers (col. 26, lines 5-10). An IMA contains default display modules that may be distributed in the form of a browser plug-in (col. 27, lines 33-45). Standard viewers may be installed on the user's computer system (col. 28, lines 48-50).

It is the wizard and not the enabling applications that are customized for the client. The WEB page that presents the self-help wizard to the client may be customized for the client (col. 17, lines 23-37), as may be the self-help wizard itself (col. 17, lines 52-56). The wizard is configured to a specific client (Abstract lines 12-14, and col. 60, line 17-18). A WEB link module of the wizard enables client linking to offered WEB pages containing information relevant to the client (col. 62, lines 7-9). A client application of the wizard is adapted to include API's to the specific client communication and viewer applications that are installed on the client's computer station (col. 62, lines 53-57). In contrast, the display modules and viewers are default or standard (col. 27, lines 33-45, and col. 28, lines 48-50).

The self-help wizard is not intended for execution while the client is on hold. A client is on hold (for example, in a queue) when it is waiting for a live agent to become available (col. 11, lines 24-25). In contrast, the self-help wizard is provided to give clients or other users every available resource for solving problems without requiring connection to a live agent or knowledge worker (col. 59, lines 48-53). The self-help wizard is illustratively provided through a WEB-based window (col. 59, lines 54-58), with which the client interacts while browsing the Web (col. 15, line 66, to col. 16, line 7) and not while the client is on hold/in queue waiting for an agent.

A client may invoke an interactive process model (IPM) such as a loan application process (col. 34, lines 36-37) while the client waits in queue (col. 36, lines 44-45). Like the self-help wizard, the IPM executes on the enterprise system (col. 36, lines 38-39), and not on the client's computer.

The disclosure of Beck et al. does not meet the requirements of applicants' claims. Claim 1 recites in part "customizing a computer program for the user; and downloading the customized computer program to the [user's] terminal for execution by the terminal while the terminal's communication is on hold." Similarly, claim 18 recites "receiving at the [user's] terminal a computer program customized for the user from the communication entity" that put the communication on hold, and "executing the received computer program at the terminal while the communication [with the entity] is on hold." As was shown in the discussion above, Beck et al. customize the self-help wizard program for the client user. But as was further shown in that discussion, Beck et al. execute the wizard in the enterprise system (call center) and not in the user's terminal. This contradicts applicants' claims. What Beck et al. download to and execute on the user's terminal are the enabling applications which are not customized for the user. This also contradicts applicants' claims. A client who is on hold/in queue may interact with an IPM which executes in the

enterprise system, but is not disclosed to be customizable for the client. This also contradicts applicants' claims.

Since the teaching of Beck et al. contradicts the recitations of the independent claims, Beck et al. cannot and do not anticipate the independent claims and claims that depend therefrom.

Claims 5 and 19 additionally recite that "putting the communication from the user's terminal on hold," comprises "negotiating with the terminal an amount of time that the communication will remain on hold." There is no corresponding teaching in Beck et al. The passage referenced by the Examiner for this proposition (col. 57, line 65, to col. 58, line 5) discloses that agents subscribe to selected work queues of selected media types, and that time spent in each queue either may be constrained or agents may have complete control over time spent working. Negotiating with the user's terminal an amount of time that the communication from the user terminal will remain on hold is not even suggested.

Claim 6 additionally recites that "customizing a computer program for execution on the user's computer" comprises "selecting a computer program that can be executed within the negotiated amount of time." There is no corresponding teaching in Beck et al. The passages referenced by the Examiner for this proposition (col. 9, lines 45-48, and col. 59, lines 5-10) disclose that the enterprise system's operating system has a modular construction which is easily editable and customizable, and that upon an agent logging into the system, a login start module executes an agent-work-presentation-model (AWPM) that personalizes and presents a suitable workload for the agent based on enterprise rules and known information about the agent, such as skill-level, media preference or capability, language capability, rank of authority, and so forth (col. 53, line 60, to col. 54, line 3). There is no teaching of selecting a program that can be executed within an on-hold time negotiated with the on-hold terminal.

Claims 7 and 10 further recite that “downloading the customized computer program to the terminal for execution by the terminal while the terminal’s communication is on hold” comprises “downloading a countdown program whose execution indicates to the user progress of expiration of the negotiated amount of time.” There is no corresponding teaching in Beck et al. The passages referenced by the Examiner for this proposition (col. 6, lines 5-8, col. 17, lines 7-10, and col. 35, lines 4-10 and 36-43) list media that are available through media selection, list parameters of a client’s computer, and describe the advantages of using a Gant chart (Fig. 14) as a programming tool, including returning of results and tracking completion of tasks. Indicating to the user of the client terminal progress of expiration of the negotiated amount of time is not even suggested.

Claims 8 and 11 recite “adjusting the amount of time indicated by the countdown program [of claim 7] to reflect the change” of conditions. There is no corresponding teaching in Beck et al. The passages referenced by the Examiner for this proposition (col. 32, lines 47-50, col. 37, lines 63-65, and col. 38, lines 42-55) indicate that the interaction model which is an interface between stored data and intelligent systems of the communications center (col. 30, line 6, to col. 31, line 8) is updated in real time, that the system is notified if income data in a database is out-of-date, that a completed loan application IPM associated with a client’s incoming call is displayed on the call-center agent’s terminal, and that a copy of the IPM (Gant chart 14) with return fields like “time begin,” “time end,” and “actual time” filled in may be sent to the programmer or system administrator. Adjusting the amount of time that indicates to the user of the client computer the progress of expiration of the negotiated on-hold time to reflect changed conditions is not suggested.

Claim 9 recites “estimating an amount of time that the communication will remain on hold; and selecting a computer program that can be executed within the estimated amount of time.” There is no

corresponding teaching in Beck et al. The passages referenced by the Examiner for this proposition (col. 9, lines 45-48, col. 37, lines 5-12, and col. 36, lines 38-45) disclose that the enterprise system's operating system has a modular construction which is easily editable and customizable, that a client who is waiting in queue may invoke execution of a loan-application interactive process module (IPM), and that windows in the columns labeled "time begin," "time end," and "actual time" in the Gant chart of Fig. 14 are return windows that return results during execution of the process. Selecting a program to execute within an estimated on-hold time is not even suggested.

The preceding are some of the additional reasons for why applicants' dependent claims are also not anticipated by Beck et al.

The Examiner further repeated the prior rejection of claims 2, 4, 20-22, and 26 under 35 U.S.C. §103(a) over Beck et al. in view of Matsumoto. This rejection is likewise again respectfully traversed.

The Examiner cited Matsumoto for supplementing the teaching of Beck, et al. by teaching the alerting of a user that a communication is about to be taken off-hold and the ceasing of program execution in response to the communication being taken off-hold. This is not correct. Matsumoto disclose a facsimile apparatus that is connected to a host computer by a communications interface via which the host computer can control the facsimile apparatus. The facsimile apparatus can operate in one of two modes: on-line and off-line. In response to a first command from the host computer, the facsimile apparatus operates in the on-line mode wherein processing of commands from the host computer takes precedence over operations from the facsimile apparatus' own controller. In response to a second command from the host computer, the facsimile apparatus operates in the off-line mode wherein it operates as an ordinary facsimile apparatus under the control of its own controller.

The passages of Matsumoto referenced by the Examiner as disclosing the alerting and the ceasing in fact do not disclose anything of

the kind. Col. 4, lines 2-6, merely indicate that, upon receipt of a Reserve Unit command from a host computer, the facsimile apparatus checks its internal state, notifies the facsimile apparatus (i.e., itself) of any change in status, and enters the on-line mode of operation where processing of commands from the host computer takes precedence over operations from the facsimile apparatus' own operation section. Col. 4, lines 32-44, merely indicate that, upon receipt of a Release Unit command from the host computer, the facsimile apparatus shifts from the on-line mode of operation to the off-line mode in which this facsimile apparatus is operated as an ordinary facsimile apparatus. Nothing is said about on-hold or off-hold operation.

Presumably, the Examiner is equating on-hold and off-hold operation of the application with on-line and off-line operation of Matsumoto. This equation is unjustified. As the above discussion of Matsumoto shows, the difference between on-line and off-line operation is whether the host computer or the facsimile apparatus' own operation section is controlling the facsimile apparatus. In contrast, on-hold and off-hold has nothing to do with control. "Hold" is a term of the communications arts signifying the maintaining of an communication's established connection while not serving that communication, e.g., while serving another connection's communication. Thus, "on-hold" signifies a connection that is waiting to be served while "off-hold" signifies a connection that is being served. It should therefore be evident that Matsumoto's on-line and off-line operational modes do not correspond to the on-hold and off-hold states of our claims. Consequently, Matsumoto does not supplement the teachings of Beck et al. in any way relevant to the claimed invention.

But even if Matsumoto could somehow be interpreted to disclose "ceasing execution of the downloaded program in response to taking the communication off hold" or "alerting the user that the communication is about to be taken off hold" as suggested by the Examiner, Matsumoto

would still not compensate for Beck et al.'s failure to anticipate the invention of the base claims. Hence, the combined teachings of Beck et al. and Matsumoto also fail to render the claims unpatentable.

In view of the above remarks, applicants assert that the Section 102(e) and 103(a) rejections of their claims are not well founded, and they request that these rejections be withdrawn.

The Examiner's rejections having been properly addressed and disposed of, applicants suggest that the application is now in condition for allowance. Applicants therefore request that the application be reconsidered and thereafter be passed to issue.

Applicants believe that the foregoing is dispositive of all issues in the application. But, if the Examiner should deem that a telephone interview would advance prosecution, applicants request the Examiner call their attorney at the telephone number listed below.

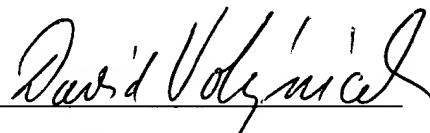
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